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May 28, 2008

Honorable Peter G. Sheridan  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
M.L. King, Jr. Federal Building and Courthouse  
50 Walnut Street  
Newark, New Jersey 07102  
*via Electronic Filing*

***Re: Mitchell v. City of Newark, et al.***  
***Docket No. 07-1298 (PGS)***

Dear Judge Sheridan:

This office represents the plaintiff in the above-referenced matter. Plaintiff filed a Motion for Substituted Service returnable June 2, 2008, defendants filed a Cross-Motion to Dismiss. Due to my vacation schedule and Mr. Panitch's Trial preparation schedule, we have been unable to respond to the Cross-Motion. We are requesting an adjournment of the return date to the next Motion date, June 16, 2008. We have attempted to contact our adversary via telephone but have not yet heard back.

This is the first request for an adjournment.

Respectfully submitted,  
PANITCH & RACHINSKY, LLC  
*/s/ John J. Rachinsky*  
JOHN J. RACHINSKY  
A Member of the Firm

JJR/nd

cc: Gary Lipshutz, Esquire, *via facsimile* (973) 733-5394

*The court will advise the parties if oral argument is required*  
SO ORDERED: *Peter G. Sheridan*  
DATED: 5/29/08